

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALLIANCE OPHTHALMOLOGY, PLLC;
DALLAS RETINA CENTER, PLLC;
TEXAS EYE AND CATARACT, PLLC;
AND HOFACRE OPTOMETRIC
CORPORATION, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

ECL GROUP, LLC; ECL HOLDINGS,
LLC; EYE CARE LEADERS HOLDINGS,
LLC; EYE CARE LEADERS
PORTFOLIO HOLDINGS, LLC;
INTEGRITY EMR, LLC; INTEGRITY
EMR HOLDINGS, LLC; ALTA BILLING,
LLC; AND ALTA BILLING HOLDINGS,
LLC,

1:22-CV-00296-LCB-JLW

Defendants.

KIMBERLY FARLEY, CHAD
FORRESTER, AND KIMBERLY
SANDVIG, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

EYE CARE LEADERS HOLDINGS, LLC,

Defendant.

1:22-CV-00468-CCE-JLW

**JOINT MOTION TO GRANT FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND CERTIFICATION OF RULE 23(b)(1)(B) CLASS**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure and LR 7.3, the parties move the Court to:

- Grant final certification of the Physician Settlement Class and Patient Settlement Class pursuant to Rule 23(b)(1)(B);
- Grant final approval of the Class Action Settlement Agreement, and hold that it is final, fair, reasonable, adequate and binding on all members of the certified classes;
- Order that the relief set forth in the Settlement Agreement be provided;
- Order that the releases in Section 7 of the Settlement Agreement are effective immediately for all actions, causes of action, claims, administrative claims, demands, debts, damages, costs, attorneys' fees, obligations, judgments, expenses, compensation, or liabilities, in law or in equity, whether now known or unknown, suspected or unsuspected, contingent or absolute, whether existing now or arising in the future, whether asserted or that could or might have been asserted, that Releasing Parties (as defined in the Settlement Agreement) now have or may have against the Released Parties (as defined in the Settlement Agreement) by reason of any act, omission, harm, matter, cause, or event whatsoever arising out of the initiation, prosecution, or settlement of the ECL Class Actions or the claims and defenses asserted in, or could have been asserted in, the ECL Class Actions related to the Data Breaches; and,
- Dismiss the consolidated class actions with prejudice upon entering a Final Approval Order.

The grounds for this Motion are set forth in the Memorandum in Support of this Motion, which is being filed contemporaneously with this Motion and is hereby incorporated by reference.

WHEREFORE, the parties respectfully request that the Court grant this Motion.

This the 31st day of May, 2024,

/s/ Patrick G. Spaugh

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